

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Case No.: 4:20-cr-06004-SAB

Plaintiff,

Motion for Detention

V

JORGE BALLESTEROS.

Defendant.

The United States moves for pretrial detention of Defendant, pursuant to 18 U.S.C. § 3142(e) and (f).

1. Eligibility of Case

This case is eligible for a detention order because the case involves (check one or more):

Crime of violence (as defined in 18 U.S.C. § 3156(a)(4) which includes any felony under Chapter 77, 109A, 110 and 117);

Maximum penalty of life imprisonment or death:

1 Drug offense with maximum penalty of 10 years or more;
2 Felony, with two prior convictions in above categories;
3
4 Felony that involves a minor victim or that involves the possession or
5 use of a firearm or destructive device as those terms are defined in 18 U.S.C.
6
7 § 921, or any other dangerous weapon, or involves a failure to register under 18
8 U.S.C. § 2250;

- 9
10 Serious risk Defendant will flee; or
11
12 Serious risk obstruction of justice.

13 2. Reason for Detention

14
15 The Court should detain Defendant because there is no condition or
16 combination of conditions which will reasonably assure (check one or both):

- 17
18 Defendant's appearance as required; or
19
20 Safety of any other person and the community.

21 3. Rebuttable Presumption.

22
23 The United States will will not invoke the rebuttable
24 presumption against Defendant under 18 U.S.C. § 3142(e).

25
26 If the United States is invoking the presumption, it applies because there is
27 probable cause to believe Defendant committed:

- 28 Drug offense with maximum penalty of 10 years or more;

- 1 An offense under 18 U.S.C. §§ 924(c), 956(a), or 2332b;
- 2
- 3 An offense under 18 U.S.C. §§ 2332b (g)(5)(B) for which a maximum
- 4 term of imprisonment of 10 years or more is prescribed;
- 5
- 6 An offense under chapter 77 of Title 18, United States Code, for
- 7 which a maximum term of imprisonment of 20 years or more is prescribed;
- 8
- 9 An offense involving a minor victim under 18 U.S.C. §§ 1201, 1591,
- 10 2241, 2242, 2244(a)(1), 2245, 2251, 2251A, 2252(a)(1), 2252(a)(2), 2252(a)(3),
- 11 2252A(a)(1), 2252A(a)(2), 2252A(a)(3), 2252A(a)(4), 2260, 2421, 2422, 2423, or
- 12 2425;
- 13
- 14 Other circumstances as defined in 18 U.S.C. § 3142(e)(2).
- 15

16 4. Time for Detention Hearing

17 The United States requests that the Court conduct the detention hearing:

- 19 At the first appearance, or
- 20
- 21 After a continuance of three days.

22 5. No Contact Order

24 The United States further requests, in addition to pretrial confinement, that
25 Defendant be subject to the following condition:

26 Defendant shall have no contact whatsoever, direct or indirect, with any
27 persons Defendant knows or reasonably should know are or may become a victim

or potential witness in the subject investigation or prosecution. Prohibited forms of contact include, but are not limited to, telephone, mail, email, text, video, social media, and/or any contact through any third person or parties.

Dated: May 5, 2022.

Vanessa R. Waldref
United States Attorney

s/Matthew A. Stone

Matthew A. Stone
Assistant United States Attorney

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on May 5, 2022 , I electronically filed the
3 foregoing with the Clerk of the Court using the CM/ECF system, which will send
4 notification of such filing to Defendant's counsel of record, if any have been
5 appointed or retained.

6 _____
7 s/Matthew A. Stone
8 _____
9 Matthew A. Stone
10 Assistant United States Attorney